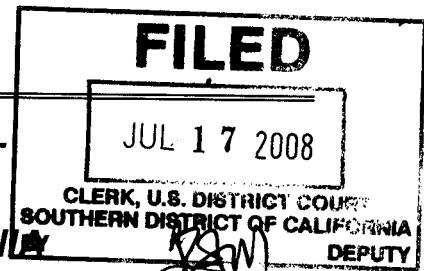


AO 455(Rev. 5/85) Waiver of Indictment

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA



UNITED STATES OF AMERICA

WAIVER OF INDICTMENT

v.

JOSE RIVAS-ORTEGA
AKA: Jose Luis Ortega
AKA: Arturo Ortega-Martinez
AKA: Arturo Martinez-Ortega

CASE NUMBER: 08cr 2379-L

I, JOSE RIVAS-ORTEGA, the above named defendant, who is accused of committing the following offense:

Title 8, U.S.C., Sec. 1325 - Illegal Entry (Misdemeanor); Title 8, U.S.C., Sec. 1325 - Illegal Entry (Felony),

being advised of the nature of the charge(s), the proposed information, and of my rights, hereby waive in open court on 7/17/08 prosecution by indictment and consent that the proceeding may be by information rather than by indictment.

KW/JOS
Defendant

Robert S. Silver, Sr.
Counsel for Defendant

Before

Judicial Officer